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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Ali LAAYOUN et al.

Application No.: 09/736,151

Filed: December 15, 2000

For: PROCESS FOR LABELING A NUCLEIC ACID

Group Art Unit: 1637

Examiner: J. Tung

Docket No.: 104959

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AMENDMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In reply to the October 4, 2002 Office Action, please amend the above-identified application as follows:

IN THE CLAIMS:

Please replace claims 1, 3, 4, 15, 25 and 26 as follows:

1. (Amended) A process for fragmenting and labeling at least one synthetic or natural member selected from the group consisting of DNA and chimeric DNA-RNA polymers, comprising the steps of:

chemically fragmenting said member in the presence of at least one multivalent metal cation in an aqueous solution, to produce a plurality of DNA or RNA fragments having freed terminal phosphates for further reaction; and
attaching a labeling agent on a plurality of said fragments at freed terminal phosphates located at the 3' end and/or 5' end of said fragments.

3. (Amended) The process according to claim 1, wherein the fragmenting and attaching steps take place in an *in vitro* nucleic acid amplification mixture.